

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. §§6172, 6192, and 6193

RULE REPEAL AND PROMULGATION: DMR Regulations 95.03 E, Closed Area No. 17-A, Upper Harpswell Neck and Long Reach (Brunswick to Harpswell) promulgated on September 8, 2006; 95.03 O, Closed Area No. 18-D, Eastern Bailey, Orr's Island, and Gun Point Cove, Harpswell, promulgated on May 17, 2006; have been repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.03 E, Closed Area No. 17-A, Upper Harpswell Neck and Long Reach (Brunswick to Harpswell)

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the following areas:

- A. Harpswell Cove (Brunswick), east of a line beginning at the end of Osprey Lane, then running south to the point of land 400 yards northwest of the south tip of Prince Point.
- B. North of the Ewin Narrows Bridge AND west of a line beginning at the east end of the bridge and extending northwest approximately 1600 yards, to the point of land at the end of Hildreth Road.
- C. Strawberry Creek, north of the Mountain Road.

EFFECTIVE DATE: September 12, 2006

EFFECTIVE TIME: 8:30 AM

AGENCY CONTACT PERSON: Amy M. Fitzpatrick
Department of Marine Resources
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W. Boothbay Harbor, Maine 04575
http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm

TIMES RECORD
September 15, 2006

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulations 95.03 E, Closed Area No. 17-A, Upper Harpswell Neck and Long Reach (Brunswick to Harpswell) promulgated on September 8, 2006; 95.03 O, Closed Area No. 18-D, Eastern Bailey, Orr's Island, and Gun Point Cove, Harpswell, promulgated on May 17, 2006; and replaces them with a new rule. This new rule classifies the Buttermilk and Doughty Cove area as approved due to the removal of 9 licensed overboard discharges (OBDs). The area previously described in Closed Area 18-D has already been included in Closed Area 17-C.



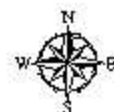
DAVID ETNIER
DEPUTY COMMISSIONER



Maine Department of Marine Resources

Pollution Closed Area No. 17-A

Upper Harpswell Neck and Long Reach (Brunswick to Harpswell)



9/12/06

